

## REMARKS

Claims 3-12, 15-24 and 26-31 are pending in the application. Claims 5, 6, 17 and 26-31 have been amended. Reconsideration of this application is respectfully requested.

The Office Action rejects claims 3-12, 15-24 and 26-31 under the first paragraph of 35 U.S.C. 112 as in a way to reasonably convey to one skilled in the art that the inventors, at the time the application was filed, had possession of the claimed invention.

With respect to independent claims 26-28, the Examiner contends that there does not appear to be any support in Applicants' specification for "collecting with a monitor said output data of an industrial process and providing said output data to said computer" or for other recitations of output data throughout the claims. The Examiner contends that the "the process data" as used at page 5 of the specification is not synonymous with output data of the process. Although this contention is arguably erroneous, to advance the prosecution, independent claims 26-28 and dependent claims 6 and 29-31 have been amended by replacing "output data" with "data of said industrial process".

Also with respect to independent claims 26-28, the Examiner contends that there does not appear to be any support for "to organize separate storage volumes of said database for said classified attribute types". This language has been cancelled from the claims.

With respect to claims 29-31, the Examiner contends that the specification lacks support for "a time varying signal" or "wherein said monitor comprises at least one sensor that.... provides it to said computer as at least a portion of said output data". Claims 29-31 have been similarly amended. Claim 30, for example, recites:

“wherein a portion of said data of said industrial process is a time varying signal, and wherein said monitor comprises at least one sensor that receives said time varying signal and provides it to said computer”.

Support for “time varying signal” is found at pages is found in the specification at pages 6, lines 18-21, and 9, lines 15-18. Also, at page 9, lines 4-18, the flow rate of material “as monitored by flow rate sensor FI1002” clearly indicates that flow rate sensor FI102 is a monitor within the context of monitor 24 of Fig. 1.

For the reason set forth above, it is respectfully submitted that the rejection of claims 3-12, 15-24 and 26-31 under the second paragraph of 35 U.S.C. 112 is obviated by the amendment.

The Office Action rejects claims 3-12, 15-24 and 26-31 under the second paragraph of 35 U.S.C. 112 as indefinite. The Examiner contends that it is unclear in paragraph (d) of independent claims 26-28 “how the data structure is used to permit access to the data base by the activities, events, and attributes to store the output data”. This contention is without merit. The Examiner is confusing indefiniteness with breadth of the claims.

The Examiner suggests “that the phrase “and in response to a request to retrieve” be changed to “and, in response to a request, to retrieve” independent claims 26-28 have been so amended.

For the reason set forth above, it is submitted that the rejection of claims 3-12, 15-24 and 26-31 under the second paragraph of 35 U.S.C. 112 is either erroneous or obviated by the amendment.

The Office Action rejects claims 3-12, 15-24 and 26-31 under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 5,613,113 to Goldring, hereafter Goldring.

This rejection is erroneous because Goldring does not disclose an industrial process or the collecting step for the reason set forth in the Amendment filed on May 4, 2007.

Independent claims 26-28 have been further amended. Independent claim 26, for example, recites in paragraphs (c) and (d):

“(c) to organize a plurality of storage volumes of said database for said classified attribute types, wherein said plurality of storage volumes comprises first and second storage volumes that are organized for said first activity or for said first event type and for storage of values of first and second ones of said attributes, respectively, of said first activity or of said first event type;

(d) to use said data structure in a manner that permits access to said organized storage volumes of said database by said activities, events and attributes that are identified by step (a) to store said data of said industrial process in said storage volumes according to said data structure and, in response to a request, which identifies said first activity type or said first event type and said first attribute, to retrieve from said first storage volume one or more values of said first attribute and, in response to a request, which identifies said first activity type or said first event type and said second attribute to retrieve from said second storage volume one or more values of said second attribute”.

The amended language has support in the specification at page 12, lines 13-24.

It is submitted that Goldring does not disclose or teach amended steps (c) and (d). Goldring does not organize first and second storage volumes for a first activity or event and by first and second attributes, respectively, of the first activity type or of the first event type as recited in step (c)..

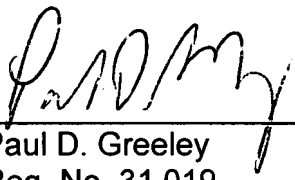
It is further submitted that Goldring does not disclose or teach using the data structure in response to "a request, which identifies said first activity type or said first event type and said first attribute, to retrieve from said first storage volume one or more values of said first attribute" as recited in paragraph (d).

For the reason set forth above, it is submitted that the rejection of claims 3-12, 15-24 and 26-31 under 35 U.S.C. 102(b) as anticipated by Goldring is obviated by the amendment and should be withdrawn.

It is respectfully requested for the reasons set forth above that the rejections under 35 U.S.C. 112 and 35 U.S.C. 102(b) be withdrawn, that claims 3-12, 15-24 and 26-31 be allowed and that this application be passed to issue.

Respectfully Submitted,

Date: 10/23/07

  
\_\_\_\_\_  
Paul D. Greeley  
Reg. No. 31,019  
Attorney for Applicants  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10<sup>th</sup> Floor  
Stamford, CT 06901-2682  
(203) 327-4500